

# You have rights



Legal rights.

Reporting a crime.

Personal Protection Orders.

Evidence testing.

# Know your rights



Michigan law gives you rights to access information about your criminal case and evidence kit testing results. This booklet explains these rights to you.

## Crime Victim Compensation

If you've had a sexual assault medical forensic exam or filed a police report, you may be eligible for crime victim compensation benefits. To learn more, visit **[Michigan.gov/CrimeVictim](https://Michigan.gov/CrimeVictim)** or call **877-251-7373**.



## Right to file a police report

You can choose whether or not to talk to the police or file a report.

If you file a police report, a police officer should be assigned to investigate your case.

The law may require the healthcare provider who performed the sexual assault medical forensic examination to inform the police they have treated you. You do not have to speak with the police if you do not want to.



## Right to notice of perpetrator arrest & release

If you have filed a police report, you have the right to ask the police to notify you of an arrest in your case, and/or the release of the arrested person. (MCL 780.753) You can also register to be notified of offender custody status and court information through the Michigan Victim Information & Notification Everyday (MI-VINE) tool. Visit **[vinelink.com](https://vinelink.com)** or call **800-770-7657** for more information.



## Right to information about status of the criminal case

If you have filed a police report, you have the right to ask about the status of your case, including:

- ✓ The name of the investigating officer assigned to your case.
- ✓ Whether your case has been submitted to the prosecuting attorney for review.
- ✓ Whether your case has been closed and the reason for closure.

The police may ask you to make the first request for case status information in writing. The police are only required to give you information that is available at the time of your request. You can call back for updates on the investigation.



## Right to ask for a Personal Protection Order (PPO)

A Personal Protection Order (PPO) is an order to protect you from someone who has sexually assaulted you or someone you are afraid may sexually assault you. You have the right to ask a Michigan circuit court for a Sexual Assault PPO, even if you decide not to talk to the police. If granted, a PPO can order that person not to have physical contact, or electronic/social media contact with you, follow you, or approach you or the place where you live, work, or go to school.

If the court grants you a PPO, the police can arrest the restrained person if there is reason to believe that he or she violated the terms of the PPO. If the police do not arrest the person who violates the order you have the right to go to court and ask that the person be held in contempt of court for violating the order. For more information, visit [michiganlegalhelp.org](http://michiganlegalhelp.org).



## Evidence kit testing rights

If you have released your kit for testing, you can contact the officer investigating your case to ask for kit testing results. If you choose not to release your kit, the medical facility will store it for one year. You can decide to release it any time during that year. (MCL 752.956)

You have the right to know:

- ✓ When the kit was sent to a crime lab for testing.
- ✓ Whether a DNA profile (DNA evidence) was found in the kit.
- ✓ Whether a DNA profile was entered into CODIS.
- ✓ Whether a DNA profile resulted in a CODIS match.



## Track-Kit™ - Michigan's Sexual Assault Kit Tracking System

Track-Kit™ is a secure online system where you can track your kit's location and status. You can access Track-Kit™ through any device that has internet access, any time, as often as you choose. Your use of Track-Kit™ is anonymous and free.



Track-Kit™ gives you resource information, medical facility and law enforcement contact details, and the ability to sign up for notifications about your kit.

# Accessing Track-Kit™



You can log in to Track-Kit™ after your medical forensic exam. The healthcare provider who performed the exam should have given you a barcode and temporary password on a sheet of paper. Please contact that healthcare provider if you do not have this information.

## Logging in to Track-Kit™

➤ Go to **<https://mi.track-kit.us>**

➤ Enter your barcode number (this will always be your username) and password.

- ✓ The first time you log in you must change your password. This is to protect your privacy and security. You can set up security questions so that you can re-set your password if you forget it.
- ✓ You can sign up for email or text notifications about your kit.
- ✓ Contact **855-316-4120**, **[support@stacsdna.com](mailto:support@stacsdna.com)**, or the online support button for 24-hour technical help. This option will help you use Track-Kit™ but cannot give you information about the testing of your kit.

## Your Kit Information

If you **released** your kit to law enforcement for testing: Information about your kit's location will be unavailable for at least 48 hours after your exam. You can still log into Track-Kit™ during that time to access contacts and resource information.

If you **did not release** your kit to law enforcement for testing: The medical facility will store your kit for at least one year. If you decide you want to release your kit to law enforcement for testing, please contact the medical facility as soon as possible. You can also download a standard release from Track-Kit™, fill it out, sign it and mail it to your medical facility.

# Frequently Asked Questions

## **Q What happens to the kit after the exam?**

**A** If you have agreed to release your kit, the police will send it to a crime lab for testing.

If you do not release the kit to the police, Michigan law requires the healthcare provider to store it for one year. The lab will not test the kit, and the medical facility can destroy it after one year. You can release the kit any time during the one-year period. In most cases, a kit stored by a healthcare provider cannot be given to police or tested unless you decide to release it. (MCL 752.933)

## **Q Are all released kits sent to a crime lab for testing?**

**A** Yes. If you have released the kit to police, the law requires police to send the kit to a crime lab for testing within a certain period of time, typically two weeks. A crime lab has 90 days to test the evidence. This can take longer if the process involves more than one police agency or the lab has limited resources. (MCL 752.934)

## **Q What will the crime lab test for?**

**A** A scientist will test the samples collected in the kit for DNA evidence. If there is enough DNA in the sample, a DNA profile is developed. A DNA profile is like a fingerprint that can help identify a suspect.

## **Q What if there is no DNA evidence?**

**A** There are many reasons why DNA may not be present. For example, the offender may not have left any DNA or the offender may have left too little DNA. DNA evidence is not a legal requirement for prosecution. DNA is only one piece of evidence in an investigation.

## **Q What if there is DNA evidence?**

**A** If the lab finds enough DNA evidence, it will develop a DNA profile. The lab will enter the DNA profile into a national database called CODIS.

# Frequently Asked Questions

## **Q What is CODIS?**

**A** CODIS is an acronym for the **C**ombined **D**N**A** Index **S**ystem.

It is a system of national, state, and local databases administered by the FBI. CODIS allows crime labs to compare kit evidence to DNA profiles from known criminal offenders, arrestees, and unknown suspects from other crimes.

## **Q What is a "match" or a "hit" in CODIS?**

**A** When the lab puts a DNA profile in CODIS, they compare it to offender profiles already in CODIS. A match or hit is when a DNA profile matched an offender or a different crime scene. There are two types of hits: a hit that identifies an offender and a hit that matches DNA profile of an offender who is still unknown.

A hit in CODIS does not always mean the case is solved or that the case will go to trial. If the offender is unknown, a hit can result in identifying the offender. Other times, a hit can add to existing evidence and build a stronger case by identifying a serial offender.

## **Q Does my DNA go into CODIS?**

**A** No. The CODIS database is made up of DNA profiles from individuals convicted of or arrested for particular crimes and unknown suspects from other crimes.

## **Q What about the DNA profile of a consensual sexual partner?**

**A** In some cases, a DNA profile may identify the DNA of a consensual sexual partner rather than the offender. If this happens, that profile may be removed from CODIS. You can talk to the police about this process.

## **Q How can I find out DNA testing results?**

**A** Contact your investigating officer.

# Help & Resources



You may feel you want to talk to someone at some point after the assault. Michigan's sexual assault hotline offers immediate support and referrals to local service providers. Your information will never be shared, and you only have to share as much or as little about your identity as you see fit. Hotline services are:

✓ 24/7

✓ Free


✓ Confidential

✓ Anonymous

Counselors can help you connect with local service programs that provide individual counseling, support groups, legal advocacy, support for friends and family, and much more.

Sexual Assault Hotline  
**855-VOICES4**  
24/7. Free. Confidential.

CALL  
 **855-864-2374**

TEXT\*  
 **866-238-1454**

TTY  
 **517-381-8470**

**M i c h i g a n . g o v / V o i c e s 4**

DIVISION  
  
of  
**VICTIM SERVICES**

*\*Standard text messaging rates may apply*